May 9, 2017

Good afternoon Judge Sutton and EPA officials,

My name is Ex. 6 Personal Privacy (PP) and I live in Rapid City. I'd like to clarify a comment I made yesterday about the number of drinking water wells in the Minnelusa aquifer after speaking with Ken Buhler of the South Dakota Department of Environment and Natural Resources (or DENR).

In November 2014 the DENR started identifying which aquifer a well draws from on the permit forms. This means that for many wells in use, it is unknown which aquifer they drawn from. Mr. Buhler said there are hundreds to thousands of domestic wells using water from the Minnelusa aquifer. The exact number is unknown at this time. However, Mr. Buhler said it is known that there are 196 appropriated water rights permits in the Minnelusa which include municipal, commercial, industrial and housing use.

In addition, the USGS Water Resources Investigations Report 01-4119 Abstract starts with this statement *"The Madison and Minnelusa aquifers are two of the most important aquifers in the Black Hills area of South Dakota and Wyoming."*

The USGS Water Resources Investigations Report 01-4226 Abstract begins with "*The Black Hills are an important recharge area for aquifers in the northern Great Plains. The surface-water hydrology of the area is highly influenced by interactions with the Madison and Minnelusa aquifers, including large springs and streamflow loss zones."*

In Valois Shea's presentation yesterday she mentioned that a Class V injection well permit could not be issued for an aquifer that is an Underground Source of Drinking Water. The Minnelusa is being used as such, so I think it is safe to say it is considered an Underground Source of Drinking Water.

The EPA's website defines an Underground Source of Drinking Water as following:

1) it supplies any public water system, which the Minnelusa does, 2) the source of water contains a sufficient quantity of ground water to supply a public water system which the Minnelusa does, 3) it currently supplies drinking water for human consumption which the Minnelusa does, 4) it contains fewer than 10,000 mg/1 total dissolved solids which according to USGS tables I've found online applies to most parts of the Minnelusa, and 5) the source of water is not an exempted aquifer which the Minnelusa is not as far as I know.

Thank you for listening.

Background information:

https://www.epa.gov/uic/general-information-about-injection-wells

Definition of underground sources of drinking water

An underground source of drinking water (USDW) is an aquifer

aquifer is a geological formation or group of formations or part of a formation that is capable of yielding a significant amount of water to a drinking water well or spring. or a part of an aquifer that is currently used as a drinking water source. A USDW may also be ground water needed as a drinking water source in the future. A USDW is defined in the Code of Federal Regulations (40 CFR 144.3) as:

an aquifer or its portion: (a)(1) Which supplies any public water system; or (2) Which contains a sufficient quantity of ground water to supply a public water system; and (i) Currently supplies drinking water for human consumption; or (ii) Contains fewer than 10,000 mg/l total dissolved solids; and (b) Which is not an exempted aquifer.

5-9-17

May 9, 2017 testimony

Dear Judge Sutton and EPA officials:

My name is Ex. 6 Personal Privacy (PP) and I live in Rapid City. Yesterday I mentioned a Resolution passed by the Rapid City Common Council. Today I'd like to read the full text for the record:

RESOLUTION NO. 2013-083

A RESOLUTION EXPRESSING GRAVE CONCERN ABOUT THE IN SITU MINING OF URANIUM BY

POWERTECH IN CUSTER AND FALL RIVER COUNTIES.

WHEREAS, Powertech Uranium Corp. has submitted applications to the South Dakota Water Management Board for permits to use water from the Madison and Inyan Kara Aquifers to conduct in situ mining of uranium in Custer and Fall River Counties in the Black Hills of South Dakota; and

WHEREAS, In situ mining, or in situ recovery involves pumping solutions incorporating water from the aquifers into an ore body through wells which will then circulate through the porous rock and recovering the minerals from the ground by dissolving them and pumping the solution containing the ore to the surface where the minerals can be recovered.

WHEREAS, hearings on Powertech's water permit applications will be held by the South Dakota Water Management Board in Rapid City at the beginning of October of 2013; and

WHEREAS, the City of Rapid City obtains a majority of its drinking water from the Madison Aquifer; and

WHEREAS, the safety of the water in the Madison Aquifer is of utmost importance to the City of Rapid

City; and WHEREAS, due to the unanswered questions regarding the safety of the community's water supply, the Common Council of the City of Rapid City believes that the proposed in situ mining of uranium in the Black Hills poses an unacceptable risk to the primary source of Rapid City's drinking water.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that due to the potential risk to the Madison Aquifer the City expresses grave concern about the proposed in situ mining of uranium in the Black Hills.

Dated this 19th day of August, 2013.

CITY OF RAPID CITY

s/ Sam Kooiker

Mayor

ATTEST:

s/ Pauline Sumption

Finance Officer

(SEAL)

Thank you for listening.